

Appl. No. 10/044,659
Amdt. dated November 15, 2004
Reply to Office Action of August 13, 2004

REMARKS/ARGUMENTS

In the Non-final Office Action mailed August 13, 2004, the Examiner objects to the application and claims, and rejects the claims, as follows:

- The declaration is objected to for lacking a post office address for the inventor.
- The drawings are objected to for having an inadequate left margin.
- The specification's Abstract is objected to for using legal phraseology.
- The claims are objected to for being too closely crowded together.
- Claim 3 is objected to for a typographical error.
- Claim 3 is rejected under 35 U.S.C. § 112, second paragraph, as allegedly indefinite.
- Claims 1-13 are rejected under 35 U.S.C. § 101, as allegedly directed to non-statutory subject matter.
- Claims 1-3, 6, 9, 10, 12, and 13 are rejected under 35 U.S.C. § 102(a), as allegedly anticipated by Applicant's admitted prior art ("the AAPA").
- Claims 4, 5, 7, 8, and 11 are rejected under 35 U.S.C. § 103(a), as allegedly obvious over the AAPA in view of U.S. Patent No. 6,104,874 to Branson et al. ("the Branson patent").

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Applicant respectfully requests the removal of these objections, and traverses these rejections, for the reasons set forth below.

The Invention

Before addressing the specific claim limitations, it will be helpful first to briefly summarize the invention of the pending claims.

The present invention provides a new Module-Centric organization of software objects. The invention adheres to basic object-oriented design principles; but, greatly improves on this paradigm through a new innovation which allows developers to design and construct comprehensive large-scale objects, called Modules. A single Module is in effect a virtual software object, configured and assembled at runtime. The Module is designed to support all facets of an entire business application process. The Module provides unsurpassed flexibility for design of the user interface, as any required data which is defined as part of the Module can be presented to or captured from the user from any presentation page, without rigid links between these user interface screens and specific software components. This feature greatly reduces design analysis and effort, allowing developers to work directly with end-users to rapidly design, produce, and modify the presentation interface, without time-consuming software component coding changes.

In addition, the Module allows developers to directly access custom business logic components which they design and develop, without the need to develop and link specific action keywords to invoke the processing methods of these components. This feature enables virtually unlimited extension to accommodate even the most complex business processes, giving developers free access to all user data, data source data, and any other capabilities inherent to the application environment (such as access to other systems or capabilities which may reside outside the domain of the business application).

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The end result is a highly efficient business application, composed of a small number of total components, and with only a select few of those components required to be manually designed and coded by the developer. Moreover, the components the developer is required to design and construct are those that are most crucial to system success, and therefore bring a greater return on development efforts. Accordingly, the final application is greatly simplified in design, without compromising business requirements. This approach allows developers to concentrate on the important task of defining and coding specific business processes, rather than construction and maintenance of the voluminous objects normally needed to support less important tasks.

The Objection to the Declaration

On pages 1 and 2 of the Office Action, the Examiner objects to the declaration. In particular, on page 2, the Examiner states the following: "The declaration is defective because it does not identify the post office address of each inventor." Enclosed is a newly executed declaration that includes the inventor's current post office address. Accordingly, Applicant believes that the declaration is no longer defective, and request removal of this objection.

The Objection to the Drawings

On pages 1 and 2 of the Office Action, the Examiner objects to the drawings. In particular, the Examiner states the following: "The drawings, filed January 8, 2002, are objected to by the examiner because of the following informalities: Figures 1-5 have inadequate left margin." Substitute formal drawings, which have an adequate left margin, were submitted for filing with the U.S. Patent Office on August 12, 2002. Copies of the substitute formal drawings and accompanying transmittal documents, which show a receipt date in the U.S. Patent Office of August 19, 2002, are enclosed for the Examiner's review. Accordingly, Applicant believes that the drawings have adequate left margins, and requests removal of this objection.

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The Objection to the Abstract

On page 2 of the Office Action, the Examiner objects to the Abstract section of the specification. In particular, the Examiner states the following: "The Abstract of the disclosure is objected to because of the use of legal phraseology such as 'said' language at line 3." Applicant has amended the Abstract section of the specification to replace the word "said" with the word "the." Accordingly, Applicant requests removal of this ground of objection.

The Objection to the Claims

On pages 2 and 3 of the Office Action, the Examiner objects to the claims. In particular, the Examiner states the following: "The claims are objected to because the lines are crowded too closely together, making reading and entry of amendments difficult. Substitute claims with lines one and one-half or double spaced on good quality paper are required." Above is a complete listing of the claims that are pending in the patent application with lines one and one-half spaced on good quality paper. Accordingly, Applicant requests removal of this ground of objection.

The Objection to Dependent Claim 3

On page 3 of the Office Action, the Examiner objects to dependent claim 3 because of a typographical error. In particular, the Examiner states the following: "Claim 3 is objected to because of a typographical error: the verb 'include' at line 1 should be changed to – includes – to agree with the subject 'the Data Store.'" Applicant has amended claim 3 according to the Examiner's suggestions, and thus, requests removal of this ground of objection.

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The Rejection of Dependent Claim 3 Under 35 U.S.C. § 112, Second Paragraph

On page 3 of the Office Action, claim 3 is rejected under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite. In particular, the Examiner stated the following: "Claim 3 recites the limitation 'the at least one data set' at line 2. There is insufficient antecedent basis for this limitation in the claim. The limitation should be changed to – the at least one associated data set – in order to have proper antecedent basis." Applicant respectfully traverses this rejection of dependent claim 3.

Further to the Examiner's recommendations, Applicant has amended dependent claim 3 to replace the claim limitation "the at least one data set" with the claim limitation "the at least one associated data set." Accordingly, Applicant believes that amended dependent claim 3 now complies with § 112, second paragraph, and respectfully requests withdrawal of this rejection.

The Rejection of Claims 1-13 Under 35 U.S.C. § 101

On pages 3-5 of the Office Action, claims 1-13 are rejected under 35 U.S.C. § 101, as allegedly directed to non-statutory subject matter. In particular, with respect to claim 1, the Examiner stated the following:

Claim 1 merely recites a system comprising a browser, an application server, a module controller servlet and server-side scripting processing engine. These components are interpreted to be software components, i.e., computer program *per se*. Such claimed matter, which is descriptive material *per se*, non-functional descriptive material is not statutory because it is not a physical "thing" nor a statutory process as there are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed aspects of the invention which permit the computer's program's functionality to be realized. Since a computer program is merely a set of instructions capable of being executed by a computer, the program itself is not a process, without the computer-readable medium needed to realize the computer's functionality. In contrast, a claimed

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computer-readable medium encoded with a computer program defines structural and functional interrelationships between the computer program and the medium which permit the computer program's functionality to be realized, and is thus mandatory.

Applicant respectfully traverses this rejection of the claims.

In response to the Examiner's recommendations, Applicant has amended independent claims 1, 6, and 10, and dependent claim 11, to add references to computer-readable media. Accordingly, Applicant believes that amended independent claims 1, 6, and 10, and dependent claims 2-5, 7-9, 11-13 now comply with § 101, and respectfully requests withdrawal of this rejection.

The Rejection of Claims 1-3, 6, 9, 10, 12, and 13 Based on the Applicant's Admitted Prior Art ("the AAPA")

On pages 5-7 of the Office Action, independent claims 1, 6, and 10, and dependent claims 2, 3, 9, 12, and 13, are rejected under 35 U.S.C. § 102(a), as allegedly anticipated by the AAPA. Applicant respectfully traverses this rejection of claims 1-3, 6, 9, 10, 12, and 13.

The AAPA discloses business transaction applications that are designed for use over a network that are developed using a three-tier architecturally layered approach. The three-tier approach utilizes a user presentation layer, an application server layer, and a data source layer. The user presentation layer provides an end-user interface for the application, the application server layer uses an application server that provides all processing for business application data, and the data source layer includes back-end database systems or services that are responsible for storing and managing business transaction data. However, the AAPA fails to teach or suggest a "Module," as required by amended independent claims 1, 6, and 10. For this reason, Applicant submits that the § 102 rejection of amended independent claims 1, 6, and 10, and dependent claims 2, 3, 9, 12, and 13, is improper and should be withdrawn.

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The Rejection of Claims 4, 5, 7, 8, and 11 Based on the AAPA and the Branson Patent

On pages 7-9 of the Office Action, dependent claims 4, 5, 7, 8, and 11 are rejected under 35 U.S.C. § 103(a), as allegedly obvious over the AAPA in view of the Branson patent. Applicant respectfully traverses this rejection of dependent claims 4, 5, 7, 8, and 11.

The Branson patent discloses an object-oriented mechanism used to implement an order processing system in a manufacturing environment. Regarding the Branson patent, the Examiner states the following:

Branson teaches a configuration process to define methods and data necessary for processing an order . . . Branson teaches an object-oriented framework mechanism for order processing. Branson's order processing framework includes core classes that define the core function of the framework mechanism and extensible classes that are defined by a user to implement a desired order-processing environment . . .

As noted previously, the AAPA *fails* to teach or suggest a "Module," as required by amended independent claims 1, 6, and 10, and thus, dependent claims 4, 5, 7, 8, and 11. Also, the Branson patent *fails* to teach or suggest a "Module," as required by amended independent claims 1, 6, and 10, and thus, dependent claims 4, 5, 7, 8, and 11. Accordingly, neither the AAPA nor the Branson patent, nor the combination of the AAPA and Branson patent, teach or suggest the requirements of amended independent claims 1, 6, and 10, or dependent claims 4, 5, 7, 8, and 11. For these reasons, Applicant submits that the § 103 rejection of dependent claims 4, 5, 7, 8, and 11 is improper and should be withdrawn.

Conclusion

This application should now be in condition for a favorable action. Applicant respectfully requests entry of the Amendment and an early allowance of all claims herein. If for any reason the Examiner finds the application other than in allowance, the Examiner is requested to call the undersigned attorney at the below-listed telephone number to discuss the steps necessary for placing the application in condition for allowance. If there are any fees due in

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connection with the filing of this Amendment, please charge the fees to our Deposit Account No. 19-1853.

Respectfully submitted,

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Enclosures